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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Andre Deshawn Boyd,  
10 Petitioner,

11 v.

12 A. Dulgov,

13 Respondent.  
14

No. CV-22-00410-TUC-JCH

**ORDER**

15 On September 12, 2022, Petitioner Boyd filed a Petition for Writ of Habeas  
16 Corpus under 28 U.S.C. § 2241. Doc. 1. On November 15, 2022, the Court referred the  
17 matter to Magistrate Judge D. Thomas Ferraro for a Report and Recommendation. *See*  
18 Doc. 5 at 3. On December 13, 2022, Respondent Dulgov filed an answer. Doc. 12.  
19 Petitioner did not reply or move to extend the deadline. *See docket generally.*

20 Before the Court is Judge Ferraro's March 1, 2023 Report and Recommendation  
21 (R&R). Doc. 15. Judge Ferraro recommends the Court deny and dismiss the Petition  
22 (Doc. 1). Doc. 15 at 4. The R&R explains that parties may file written objections to the  
23 R&R within 14 days of service. *Id.* The R&R warns that failure to object could be  
24 deemed a waiver of any objection. *Id.* Neither party objected. *See docket generally.*

25 On March 14, 2023, a copy of the R&R mailed to Petitioner was returned  
26 "Undeliverable" due to "Transferred/Discharged – Unable to Forward." Doc. 16. The  
27 Court's Order requiring Respondent to answer the Petition warned that Petitioner "must  
28 file and serve a notice of a change of address in accordance with Rule 83.3(d) of the

1 Local Rules of Civil Procedure." Doc. 5 at 1. The Order further warned that if "Petitioner  
2 fails to timely comply with every provision of this Order, including these warnings, the  
3 Court may dismiss this actions without further notice." *Id.* at 2.

4 **I. Legal Standard**

5 A district court reviews objected-to portions of an R&R de novo. 28 U.S.C.  
6 § 636(b)(1); *see also* Fed. R. Civ. P. 72(b); *United States v. Remsing*, 874 F.2d 614, 617  
7 (9th Cir. 1989). Failure to timely object may be considered a waiver of a party's right to  
8 de novo consideration of the issues. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121–  
9 22 (9th Cir. 2003) (en banc).

10 **II. Analysis**

11 The Court has reviewed Judge Ferraro's R&R and finds its facts, analysis, and  
12 conclusions are without error. The Court will adopt the R&R in full. The Court also notes  
13 that even if it did not adopt the R&R, it would dismiss Petitioner's case for failure to  
14 comply with a court order.

15 **III. Order**

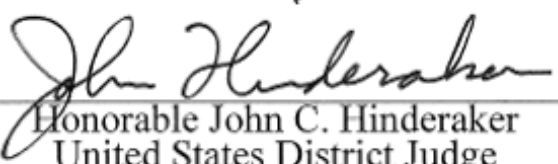
16 Accordingly,

17 **IT IS ORDERED ADOPTING** the Report and Recommendation (Doc. 15).

18 **IT IS FURTHER ORDERED DENYING** the Petition (Doc. 1).

19 **IT IS FURTHER ORDERED DISMISSING** this case. The Clerk of the Court  
20 shall enter judgment accordingly.

21 Dated this 21st day of March, 2023.

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24   
25 Honorable John C. Hinderaker  
26 United States District Judge  
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